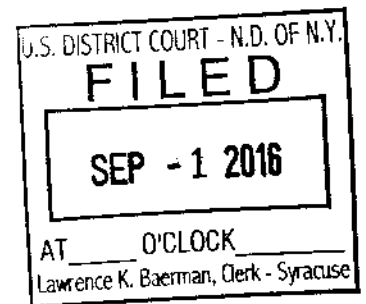


5:16-cv-1071 (BKS/DEP)

Connect Wireless

Civil action complaint



- I. On May into June 2015 I was employed by GMR marketing for an event that took place in Syracuse NY.
- II. I worked an event hosted by them, for connect wireless that I was a brand representative doing marketing and sales
- III. This company hired me for an event and then I was wrongfully terminated and was told I was terminated for sexual misconduct and harassment.
- IV. This never occurred, what actually happened was I was wrongfully terminated for my sexual orientation and defending transgendered people.
- V. What occurred this day was the manager of the location I was placed in was insulting and discriminatory towards gays and transgendered people, and in defense I was very unhappy with his behavior and I complained, I was then terminated and told I was

terminated for sexual harassment of customers and insulting management. These things did not occur. The location manager also called me, which was provided in the investigation. I don't know why I would need to be called, if im so disruptive, sexual harassing customers, and insulting transgendered people. This simply made no sense. Why after doing all this would you need to directly dial my phone number. Its simple because she lied, and only went against me because the phone company was embarrassed that I wouldn't allow them to continue insulting my community or any community. The location Manager, Jennifer. Called me to ask about hotels and eating places, and where things were located, this would make no sense to do if I had been so hanous of an employee. The call log is attached in the case file, that was submitted to Valerie Woods, during the investigation. Along with a college paper written in 2006, about life as a transgendered person, while I was attending ungrad. Which seemed to get no light, but it was a subject I chose out of a billion options, because I knew that this was a topic that was lacking discussion and decided to research futher and use it for my class final paper. This was 2006. In a college setting, so to insult them

for a job I was employed for one day makes no sense today tomorrow or ever, when associated with who I am or what I would ever discuss.

VI. I am suing for improper practices and malicious wrong doing by creating pretext to create a situation for me to lose employment based on fabricated lies.

VII. The marketing company did not witness any of this but dismissed me without further investigation and actually hearing my side, inside I was let go.

VIII. I am a member of a protected class being homosexual, I was terminated for libel antics and pretext created by my employer fabricating things that were not true or misleading.

IX. My action is suing and having them found libel for these actions

In ending I appreciate your consideration of these matters and hope you will consider this case and allow me the chance to prove what I am claiming to be true and just and wanting to go on with my life and move away from hopefully not having these situations occur again in my life

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Shaun P. Garvey Plaintiff(s)

vs.

Connect Wireless Defendant(s)

Civil Case No.:

CIVIL COMPLAINT
PURSUANT TO
TITLE VII OF THE
CIVIL RIGHTS ACT,
AS AMENDED

Plaintiff(s) demand(s) a trial by: ☒ JURY ☐ COURT (Select only one).

JURISDICTION

1. Jurisdiction is conferred on this court pursuant to 42 U.S.C. § 2000e-5.

PARTIES

2. Plaintiff: Shaun Garvey

Address: 4766 Stonehurst Rd

Liverpool, NY

13090

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: Connect Wireless
Official Position: Director Human Resources
Address: 857 North Salina St
Syracuse NY
13208

b. Defendant: Connect Wireless
Official Position: Director
Address: 857 North Salina
Syracuse NY 13208

4. This action is brought pursuant to:

☒ Title VII of the Civil Rights Act of 1964, as amended, codified at 42 U.S.C. § 2000e *et seq.*, and the Civil Rights Act of 1991, for employment discrimination based on race, color, religion, sex or national origin.

☐ Pregnancy Discrimination Act of 1978, codified at 42 U.S.C. § 2000e(k), as amended, Civil Rights Act of 1964, and the Civil Rights Act of 1991, for employment discrimination based on pregnancy.

5. Venue is invoked pursuant to 28 U.S.C. s 1391.

6. Defendant's conduct is discriminatory with respect to the following (check all that apply):

- (A) ☐ My race or color.
(B) ☐ My religion.
(C) ☒ My sex (or sexual harassment).
(D) ☐ My national origin.
(E) ☐ My pregnancy.
(F) ☒ Other: orientation

7. The conduct complained of in this action involves:

- (A) ☐ Failure to employ.
(B) ☒ Termination of employment.
(C) ☐ Failure to promote.
(D) ☐ Unequal terms and conditions of employment.
(E) ☐ Reduction in wages.
(F) ☐ Retaliation.
(G) ☐ Other acts as specified below:

8.

FACTS

Set forth the facts of your case which substantiate your claims. List the events in the order they happened, naming defendants involved, dates and places.

Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary).

9.

CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

FIRST CAUSE OF ACTION

See Attached
Complaint

SECOND CAUSE OF ACTION

THIRD CAUSE OF ACTION

10. I filed charges with the New York State Division on Human Rights, the New York City Commission on Human Rights or Equal Employment Opportunity Commission regarding the alleged discriminatory acts on or about: June 2015
(Provide Date)
11. The Equal Employment Opportunity Commission issued a Notice-of-Right-to-Sue letter (**copy attached**) which was received by me on or about: June 3, 2016
(Provide Date)
12. The plaintiff is an employee within the meaning of 42 U.S.C. § 2000e(f).
13. The defendant(s) is (are) an employer, employment agency, or labor organization within the meaning of 42 U.S.C. § 2000e(b), (c), or (d).
14. The defendant(s) is (are) engaged in commerce within the meaning of 42 U.S.C. § 2000e(g).

15. **PRAYER FOR RELIEF**

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

\$ 20,000, for Malicious Intent
and discrimination leading to
my termination

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 8/30/16

Signature of Plaintiff(s)
(all Plaintiffs must sign)

02/2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Shaun Garvey**
171 Mosley Drive Apt. 2
Syracuse, NY 13206

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

16G-2015-03572

Holly M. Woodyard,
State & Local Program Manager

(212) 336-3643

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

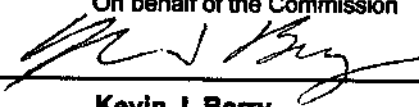
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Kevin J. Berry,
District Director

JUN 08 2016

(Date Mailed)

Enclosures(s)

cc: **ATTN:**
Director of Human Resources
CONNECT WIRELESS UPSTATE, LLC D/B/A
857 North Salina Street
Syracuse, NY 13208